

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – PR & RD Department – Sri S. Jagath Kumar, formerly in-charge Executive Engineer, PRI, Thirupathi – Non submission of Annual Property Returns – Departmental proceedings under Rule 20 of A.P. Civil Services (Classification, Control & Appeal) Rules 1991 – Article of charges – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (Estt.I.2) DEPARTMENT

G.O.Rt.No.448

Dated:16-3-2012.
Read the following:-

1. From the ENC., PR, Lr.No.G-3/23697/2004, dt 5-9-2011
2. Govt. Memo.No.21252/E.I.2/2011-2, dt:28.12.2011
3. From the ENC., PR, Lr.No.G-3/23697/2004, dated:09.2.2012

ORDER:

It is proposed to hold an enquiry against Sri S. Jagath Kumar, formerly in-charge Executive Engineer, PRI, Thirupathi in accordance with the procedure laid down in Rule 20 of the A.P. Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I, II & III). A list of witnesses by whom and a list of documents by which the article of charges are proposed to be sustained are enclosed (Annexure-III).

3. Sri S. Jagath Kumar, formerly in-charge Executive Engineer, PRI, Thirupathi is directed to submit written statement of his defence within (10) days of the receipt of this Order.

4. Sri S. Jagath Kumar, formerly in-charge Executive Engineer, PRI, Thirupathi is informed that an enquiry will be held only in respect of those article of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri S. Jagath Kumar, formerly in-charge Executive Engineer, PRI, Thirupathi is further informed that, if he does not submit his written statement of defence on or before the date specified in para-3 above, further action will be processed based on the material available.

6. Attention of S. Jagath Kumar, formerly in-charge Executive Engineer, PRI, Thirupathi is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that S. Jagath Kumar, formerly in-charge Executive Engineer, PRI, Thirupathi, is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the G.O. shall be acknowledged forthwith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

C.R. BISWAL

PRINCIPAL SECRETARY TO GOVERNMENT (PR)

To

Sri S. Jagath Kumar,
formerly in-charge Executive Engineer, PRI, Thirupathi
through the Engineer-in-Chief (PR) Hyderabad.

The Engineer-in-Chief (Panchayat Raj) Hyderabad.

(in duplicate with a request to serve and return the acknowledged copy)
SF/SCs.

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE – I

STATEMENT SHOWING THE ARTICLES OF CHARGES FRAMED AGAINST SRI S. JAGAT KUMAR, FORMER IN-CHARGE EXECUTIVE ENGINEER, PRI, TIRUPATI OF CHITTOOR DISTRICT.

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Charge 1:- That, Sri S. Jagat Kumar, former in-charge Executive Engineer, PRI, Tirupati of Chittoor District had failed in obtaining prior permission from the competent authority in purchasing house plot in the name of his wife Smt. J. Vijayalakshmi in Chittoor.

Basis:- Sri S. Jagat Kumar, former in-charge Executive Engineer, PRI, Tirupati had not obtained prior permission from the competent authority in purchasing a house plot at cost of Rs. 1,50,000/- in the name of his wife Smt. J. Vijayalakshmi in Chittoor District. As per the sub rule (1) of Rule (9) of APCS (Conduct) Rules, 1964, prior permission/prior sanction (as the case may be) is mandatory prior to acquiring and immovable property either in his name or in the names of his family members along with other information mainly source of income from which he is willing to purchase. The Officer had not followed the above rule and acquired the immovable property in the name of his wife. Thus he had violated the sub rule (1) of Rule (9) of APCS (Conduct) Rules, 1964.

Hence the Charge.

Charge 2:- That, Sri S. Jagat Kumar, former in-charge Executive Engineer, PRI, Tirupati of Chittoor District had failed in submitting the Annual Property Returns since the date of joining to 2004 and for the years ending 2007 to 2010.

Basis:- Sri S. Jagat Kumar, former in-charge Executive Engineer, PRI, Tirupati had not submitted Annual Returns since date joining to 2004 and for the year ending 2007 to 2010.

As per rule (7) of Rule (9) of APCS (Conduct) Rules, 1964, the officer shall on his first appointment to the Government service submit to the Government a statement of all immovable property/ properties irrespective of its value and movable properties acquired or inherited by him or held by him on lease or mortgage either in his own name or in the name of any member of his family in the forms prescribed.

He also ought to have submit every year by 15th January of each year, through proper channel the Annual Property Returns in Annexure-I & II of all immovable and movable properties owned acquired or inherited by him or held by him either in his name or in the name of any member of his family. But, he had not submitted Annual Property Returns from the date of joining to 2004 and for the years ending 2007 to 2010 which can not be expected from any loyal Government servant. Thus, he had violated sub rule (7) of Rule (9) of APCS (Conduct) Rules, 1964.

Hence the Charge.

C.R. BISWAL
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE – II

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES ARE PROPOSED TO BE SUSTAINED AGAINST SRI S. JAGAT KUMAR, FORMER IN-CHARGE EXECUTIVE ENGINEER, PRI, TIRUPATI OF CHITTOOR DISTRICT.

1. Executive Engineer, PR, Chittoor Lr.No.A1/428/2005 dt:21.03.2005.
2. Property Statement of Sri S. Jagat Kumar, I/c Executive Engineer for year 2004-2005 ending March 2005.

C.R. BISWAL
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE – III

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGES FRAMED AGAINST SRI S. JAGAT KUMAR, FORMER IN-CHARGE EXECUTIVE ENGINEER, PRI, TIRUPATHI, CHITTOOR DISTRICT.

- NIL -

C.R. BISWAL
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER